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VIA ELECTRONIC MAIL
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Visalia City Council
707 W. Acequia
Visalia, CA 93291
and
Sam's Club/Walmart
Bentonville, Arkansas

Re: Appeal of the Planning Commission's approval of Conditional Use Permit No. 2024-17: (APNs: 121-620-004, 005, 006, 007, 008, 013, 014).

Dear Walmart Developers and Visalia City Planners:

GREENHOUSE GAS EMISSIONS AND ENERGY

Global warming is a serious issue, perhaps the most serious issue that we as a species will ever have to face. Dr. James Hansen, Director of the NASA Goddard Institute for Space Studies writes, "The stakes, for all life on the planet, surpass those of any previous crisis. The greatest danger is continued ignorance and denial, which could make tragic consequences unavoidable."

There is much important new information on climate change. For example:

- The IPCC AR6 synthesis report (<https://www.ipcc.ch/report/ar6/syr/>) includes warnings that the world is approaching "irreversible" levels of global heating, with catastrophic impacts rapidly becoming inevitable; and that it is "now or never" to take drastic action to avoid disaster.
- "A new study has revealed that the language used by the global climate change watchdog, the Intergovernmental Panel on Climate Change (IPCC), is overly conservative - and therefore the threats are much greater than the Panel's reports suggest."

<https://www.sciencedaily.com/releases/2019/03/190320102010.htm>

- NOAA Global Monitoring Laboratory - THE NOAA ANNUAL GREENHOUSE GAS INDEX (<https://gml.noaa.gov/aggi/aggi.html>) is also substantial and critically important new information.
- Harmful tipping points in the natural world pose some of the gravest threats faced by humanity. Environmental stresses could become so severe that large parts of the natural world are unable to maintain their current state, leading to abrupt and/or irreversible changes. Global Tipping Points | Home (global-tipping-points.org)

California courts have ruled, “the greater the existing environmental problems are, the lower the threshold should be for treating a project’s contribution to cumulative impacts as significant.”

Even if a public agency decides to approve a project despite the fact that its significant impacts cannot be completely mitigated, CEQA requires that it nonetheless must reduce them to the extent feasible. We list below a number of potential feasible GHG mitigation measures, many of which address criteria pollutant emissions as well; the City should evaluate these mitigation measures and require this project to adopt effective climate change measures to help offset impacts.

We ask that the City consider the following list of potential feasible GHG mitigation measures, many of which address criteria pollutant emissions and energy consumption as well. **In order to reduce emissions to the extent feasible, the City must require this project to adopt a sufficient number of effective climate change measures to substantially lessen and offset cumulative impacts**, feasible mitigation measures that might include:

- In order to encourage the use of non-polluting electric vehicles, the City should require parking lots for all facets of this project to include dedicated EV parking and operational level 3 fast-charging facilities, at the very least to satisfy the 2022 CALGreen standards. The EIR must disclose the number of automobile and truck parking spaces that will include operational EV charging stations. The EIR must require that this commitment is enforced and that charging stations be regularly maintained and monitored.
- Parking lot stalls should be covered with photovoltaic cells both to protect parked vehicles from heating and to generate clean energy for the project.
- Employee parking lots should be covered with solar canopies and, so as to encourage employees to drive EVs that can be charged while they work, should include level 2 EV charging facilities.
- Green building measures should be used, including passive solar design and a requirement that buildings be at least 25% more energy efficient than Title 24 standards current when permits are pulled.
- **The buildings should be Zero Emissions Buildings** following the new DOE definition. "By the definition, at a minimum, a zero emissions building must be

energy efficient, free of onsite emissions from energy use, and powered solely from clean energy. Future parts of this definition may address emissions from embodied carbon..." [National Definition of a Zero Emissions Building | Department of Energy](#)

- A requirement that structures contain enough solar photovoltaics (PV) and solar water heating to significantly offset energy usage, with a capacity that matches the maximum allowed for distributed solar connections to the grid, even if this exceeds California Green Building Standards. **The City should fortify this commitment and reassure the public** by requiring performance standards that are mandatory, specifically defined, and enforceable.
- To help reduce VMT and help address environmental justice issues, the project should provide employment opportunities and regular bus routes between the project and local low-income and minority communities to transport workers. The buses should be electric vehicles charged from the project's photovoltaic panels.
- A requirement that the buildings be all-electric.
- A requirement that the developer contribute a GHG fee to the San Joaquin Valley Air Pollution Control District to be used to fund projects that would reduce GHG emissions elsewhere. This could be built into a criteria pollutant Developer Mitigation Agreement (DMA) as the Air District has suggested in the past.

AIR POLLUTION

The southern San Joaquin Valley fights it out every year with Los Angeles for having the worst air pollution in the nation. See the American Lung Association report at <http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/california/>. Since our extreme air pollution affects the health of many residents, the City must thoroughly address the issue. Specifically, according to [CalEnviroScreen 4.0 | OEHHA](#), this project site area is in the 86th percentile for pollution burden, in the 89th percentile for ozone exposure, and in the 98th percentile for PM2.5 exposure.

In order to reduce criteria pollutant impacts to net zero, the City should require the developer to sign a Developer Mitigation Agreement (DMA) with the SJVAPCD, including a requirement that air pollution mitigation projects take place locally. The City should insist that the DMA include provisions that air pollution reduction projects be situated in area of the impact, at the very least in the southern San Joaquin Valley.

All service equipment should be zero emission. Mitigation measures must include performance standards that are mandatory, specifically defined, and enforceable.

Local delivery trucks associated with the project should be electric vehicles charged from renewable energy sources, preferably from onsite solar panels.

Apparently, trucks and trailers with transport refrigeration units will be allowed on this project site. If so, the City must model air pollution emissions from these on-site

transport refrigeration units, and the City must prepare a health risk assessment that shows the potential health risk. The City must require limited idling times, actual TRU clean electricity plug-in, and should require TRUs to actually use the electric plugs at the loading docks or when parked elsewhere onsite. Limit onsite transport refrigeration unit diesel engine runtime to no more than 15 minutes.

Centerpoint Strategies, a warehouse project in North Richmond, has agreed to a rapid electrification of vehicles at the site with 33% of the fleet required to be zero-emission vehicles at start of operations, 65% of the fleet to be zero-emission vehicles by the end of 2023, 80% of the fleet to be zero-emission vehicles by the end of 2025, and 100% of the fleet to be zero-emission vehicles by the end of 2027. This project should follow this example.

Sincerely,



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